

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

JOHN GACHAGO,)	
)	
Plaintiff)	
)	
vs.)	CIVIL ACTION NO.
)	05-10141-RGS
BRISTOL-MYERS SQUIBB, and)	
AMERICAN EXPRESS,)	
)	
Defendants)	

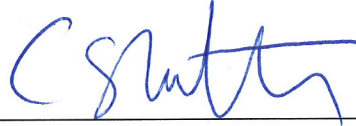
AFFIDAVIT OF EVE SLATTERY, ESQ.

I, Eve Slattery, depose and state the following:

1. I am attorney of record for Defendant Bristol-Myers Squibb Company ("BMS") in this action.
2. In or about late July 2005, counsel of record for American Express Travel Related Services Company ("American Express"), Paige A. Scott Reed, Esq., informed me that American Express would accept the amount of one-thousand eighty-three dollars and fifty cents (\$1,083.50) -- the amount due as of June 14, 2004 -- as payment in full for the outstanding Corporate Card Statement of Account of Plaintiff John Gachago.
3. On September 1, 2005, I caused to be delivered by hand to Attorney Scott Reed a check from BMS payable to American Express in the amount of one-thousand eighty-three dollars and fifty cents (\$1,083.50). This payment was made with reservation of rights against Mr. Gachago and American Express. A true and accurate copy of the letter accompanying payment is attached at Tab A.
4. Attorney Paige Scott Reed confirmed with me today by electronic mail

that the balance of Mr. Gachago's American Express charge card has indeed been paid in full.

SIGNED UNDER THE PENALTIES OF PERJURY THIS 11th DAY OF
OCTOBER, 2005.



Eve Slattery

TAB A

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Dwyer & Collora, LLP

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September 1, 2005

BY MESSENGER

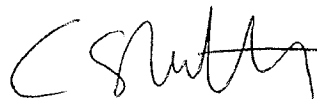
Paige A. Scott Reed, Esq.
Prince, Lobel, Glovsky & Tye LLP
585 Commercial Street
Boston, MA 02109

Re: John Gachago v. Bristol-Myers Squibb et al.;
Civil Action No. 05-10141-RGS

Dear Ms. Reed:

I enclose a check from Bristol-Myers Squibb Company ("BMS") payable to American Express in the amount of one-thousand eighty-three dollars and fifty cents (\$1,083.50) for payment in full of the outstanding Corporate Card Statement of Account of John W. Gachago, Account number 3794-781209-61009 ("Payment"). This Payment is made with reservation of rights against John Gachago and American Express. BMS expressly denies any and all allegations of wrongdoing and any liability to Mr. Gachago arising out of the allegations in the Complaint and Amended Complaint filed in the above-referenced litigation or otherwise. Nothing in this Payment shall be deemed to represent a concession or admission of any liability to Mr. Gachago or American Express or any waiver of any defense to any such liability.

Very truly yours,



Eve Slattery

Enclosure

cc: Douglas Surprenant, Esq.